

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001	03-MD-01570 (GBD)(SN) ECF Case
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This document relates to:

Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al., 02-cv-06977
Gladys H. Salvo, et al. v. Al Qaeda Islamic Army, et al., 03-cv-05071
Federal Insurance Co., et al. v. Al Qaida, et al., 03-cv-06978
Thomas E. Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., 03-cv-09849
Estate of John P. O'Neill, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., 04-cv-01923
Continental Casualty Co., et al. v. Al Qaeda, et al., 04-cv-05970
Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al., 04-cv-07065
Euro Brokers Inc., et al. v. Al Baraka Inv. & Dev. Corp., et al., 04-cv-07279
Maher, et al. v. Islamic Emirate of Afghanistan a/k/a The Taliban, et al., 1:23-cv-02845

DECLARATION OF AISHA BEMBRY

I, Aisha Bembry, declare and say that the following statements are true as a matter of my personal knowledge:

1. I am a partner at the law firm of Lewis Baach Kaufmann Middlemiss PLLC and a member in good standing of the District of Columbia Bar and the Maryland Bar and have been admitted *pro hac vice* as counsel for defendants Muslim World League and the International Islamic Relief Organization. I make this declaration in support of the Memorandum of Law in Support of Defendants’¹ Joint Motion to Exclude the Expert Testimony of Evan Kohlmann and Matthew Levitt in the above-captioned case, filed on July 31, 2023.

¹ “Defendants” means World Assembly of Muslim Youth and World Assembly of Muslim Youth International, International Islamic Relief Organization, Muslim World League, the four “Charity Officer Defendants” (Abdullah Omar Naseef, Abdullah bin Saleh al Obaid, Abdullah Mohsen al Turki, and Adnan Basha), and Yassin Kadi.

2. Attached hereto are true and correct copies of the following documents:

Exhibit 1	Catalog of Impermissible Testimony of Plaintiffs' Experts Evan Kohlmann and Matthew Levitt, with Exhibits A and B attached thereto
Exhibit 2	Expert Report of Evan Kohlmann dated March 10, 2020
Exhibit 3	Excerpt Trial Testimony from <i>United States v. Paracha</i> , No. 03 CR 1197 (S.D.N.Y. Nov. 2, 2005)
Exhibit 4	Excerpt of <i>Regina v. Faqih</i> (Jan. 23, 2007) (Kohlmann Dep. Ex. 1006)
Exhibit 5	Excerpt of Evan Kohlmann Deposition Transcript (Aug. 5-6, 2021)
Exhibit 6	Rebuttal Report of Expert Evan Francois Kohlmann dated February 2, 2021
Exhibit 7	Evan Kohlmann's CV
Exhibit 8	Excerpt of Hearing Transcript from <i>United States v. Abu Ali</i> , 05 Cr. 53 (GBL) (E.D. Va.), (Oct. 28, 2005)
Exhibit 9	<i>Another Saudi 'hijacker' turns up in Tunis</i> (Kohlmann Dep. Ex.1020) .
Exhibit 10	Excerpt from September 2018 FATF Anti-money laundering and counter-terrorist financing measures (Kohlmann Dep. Ex. 1048)
Exhibit 11	Excerpt of CRA Report: PEC-WAMY031448, PEC-WAMY031448, PEC-WAMY031455-58. (Kohlmann Dep. Ex. 1042)
Exhibit 12	Excerpt of Arab Cohort-Volunteers Cover indicating the publishing company as House of Learning Printing Press Co.-MR/ARA001079-1083.
Exhibit 13	Excerpt of Daubert Hearing from <i>United States v. Hausa</i> , No.12CR00134(BMC) (E.D.N.Y February 6, 2017)
Exhibit 14	FrontPageMagazine.com, "Saudis Spread Hate Speech in U.S." (Sept. 16, 2002 (Kohlmann Dep. Ex. 1034)
Exhibit 15	NY TIME MAGAZINE, "The Lessons of Anwar al-Awlaki" (Aug. 27, 2015) (Kohlmann Dep. Ex. 1037)

Exhibit 16	Human Rights Watch Fact Sheet: <i>Flawed Guantanamo Assessment File</i> , December 2016
Exhibit 17	Human Rights Watch Issue Brief: <i>Guantanamo Detainee Transfers</i> , December 2018
Exhibit 18	JTF-GTMO Risk Matrix for the Charitable Sector
Exhibit 19	Excerpt of Mammam Ameer's JTF GTMO Detainee Assessment
Exhibit 20	Unclassified Summary of Evidence for Administrative Review Board in the Case of Ameer, Mammam July 25, 2005 (Kohlmann Dep. Ex. 1043)
Exhibit 21	Excerpt of Unclassified Summary of Evidence for Administrative Review Board in the Case of Adel Hussein, Hassan, July 28, 2005 (Kohlmann Dep. Tr. 1044)
Exhibit 22	Expert Report of John Barron dated August. 7, 2020
Exhibit 23	Excerpt of Expert Report of Jonathan M. Winer dated March 10, 2020
Exhibit 24	Excerpt of 9/11 Commission Report
Exhibit 25	OFAC Sanction List Search Result for Benevolence International Foundation (Kohlmann Dep. Ex. 1041)
Exhibit 26	February 23, 1993 Letter from WAMY to Adel Batterjee (Winer Dep. Ex. 915)
Exhibit 27	WAMYSA029936 (LBI flyer documents) and WAMYSA057782 (BIF flyer documents)
Exhibit 28	LBI Envelope (Kohlmann Dep. Ex. 1045)
Exhibit 29	May 11, 1993 Letter from WAMY to Prince Abdulaziz (Winer Dep. Ex. 916)
Exhibit 30	<i>Times of India</i> , "WAMY Sets Its Foot in Hyderabad" (Nov. 6, 2001) (Kohlmann Dep. Ex. 1028)
Exhibit 31	Excerpt of Matthew A. Levitt Deposition Transcripts dated April 7-8, 2021
Exhibit 32	Invoices for Services Provided by Matthew Levitt dated November 2003 (Levitt Dep. Ex. 2002)
Exhibit 33	Memorandum from Matthew A. Levitt to Barbara Hammerle (Levitt Dep. Ex. 2003)
Exhibit 34	Expert Report of Matthew A. Levitt dated March 9, 2020

Exhibit 35	June 28, 2019 Subpoena Matthew A. Levitt to Testify at Deposition in a Civil Action, In re Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN) (S.D.N.Y.)
Exhibit 36	August 16, 2019 Letter from Paul Ahern, Dept. of Treasury Response to Sean O'Connor and Robert Haefele
Exhibit 37	Excerpt from Jimmy Gurule Deposition Transcript dated July 7, 2021
Exhibit 38	Expert Rebuttal Report of Dr. Matthew Levitt dated January 18, 2021
Exhibit 39	Expert Report of Jimmy Gurule dated February 1, 2021
Exhibit 40	Matthew A. Levitt's CV (Attachment A to Expert Report)
Exhibit 41	Unclassified Summary of Evidence for Administrative Review Board in the Case of Qahtani, Said Muhammad Husayn
Exhibit 42	Complaint filed in <i>Sana-Bell, Inc. v. BMI Real Estate, et al.</i> , No 8:98-cv-04177 (PJM) (D. Md. December. 23, 1998)
Exhibit 43	Plaintiffs Proposed Findings of Fact and Conclusion of Laws filed in <i>Sana-Bell, Inc. v. BMI Real Estate, et al.</i> , No 8:98-cv-04177 (PJM) (D. Md. December. 23, 1998)

Dated: July 31, 2023

/s/ Aisha E. R. Bemby

Aisha E. R. Bemby (admitted *pro hac vice*)